

## REMARKS

This responds to the Office Action mailed on December 21, 2006. For reasons explained below, Applicants are unable to respond herein to the Examiner's rejection of claims 1-10.

Claims 1-10 are withdrawn, claims 12-16 are canceled, claim 11 is amended, and claims 17-18 are added; as a result, claims 1-11 and 17-18 are pending upon entry of this amendment.

## Provisional Election of Group II

Restriction to one of the following was required:

- I.     Claims 1-10, drawn to an alignment weight.
- II.    Claims 11-16, drawn to an electronic module.

Applicants believe that no proper *prima facie* case for restriction has been made; that the two Groups identified by the Examiner have been present in this application *ab initio*; and that the entire application can be examined without serious burden on the Examiner. However, the Applicants provisionally elect, with traverse, the claims directed to Group II (i.e., claims 11-16). If the Requirement is continued, the Applicants request cancellation of claims 1-10 without prejudice or disclaimer, and they reserve the right to reintroduce them in this Application, or in one or more divisional applications, at a later date.

In the Office Action of December 21, 2006, the Examiner asserted that “the newly amended claims 11-16 are directed to an invention that is independent or distinct from the invention originally claimed” [emphasis added]. However, Applicants point out that claims 11-16 were in the application as originally filed. Applicants vigorously assert that claim 11-16 should not be deemed restrictable solely because their preambles were amended from “apparatus” to “electronic module”. Applicants remind the Examiner that in the September 1, 2006 Office Action, the Examiner stated he “strongly recommends applicant amend the preamble from ‘apparatus’ to ‘system’”. Applicants chose “electronic module” rather than “system”, because, as mentioned in Applicants’ November 1, 2006 response (page 6), Applicants reasonably believed there was better support in the written description for “electronic module”

than for “system”. Applicants respectfully assert they appear to have been prejudiced by acting in good faith upon the Examiner’s suggestion to amend the preamble of claim 11.

Applicants vigorously point out that all of the limitations of claim 11-16 remain substantively as originally filed. Claims 11-16 were not restricted in any of the four prior Office Actions, and they should not be restricted merely because of the wording change of their preambles, which wording change was made at the suggestion of the Examiner.

The Examiner also asserted in the most recent Office Action that “since Applicants have received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits”. The Examiner further asserted that “claims 11-16 are withdrawn from consideration as being directed to a non-elected invention”.

In response, Applicants vigorously contend that “the originally presented invention” very clearly included claims 11-16. Claims 11-16 are not newly added. Claims 11-16 have been in this application *ab initio*, and they have been examined and discussed in at least four previous Office Actions. Thus, Applicants vigorously traverse any constructive election of claims 1-10, and, as stated earlier, if Applicants are now compelled, at this late date in the prosecution, to make any election, Applicants elect Group II (claims 11-16).

### **New Claims 17 and 18**

Claims 17 and 18 have been added. No new matter has been introduced.

Claim 17 recites that some of the plurality of depressions have an interior angle of less than about 90 degrees. Claim 18 recites that some of the plurality of depressions are substantially circular.

Support for new claims 17 and 18 may be found, for example, in original claims 9 and 10.

### **Amendments to Claim 11**

Independent claim 11 has been amended by incorporating the limitations previously recited in claims 12, 15, and 16 of the original disclosure. Claims 12, 15, and 16 have accordingly been canceled, as noted above. No new matter has been introduced.

### **§102 Rejection of the Claims**

Claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by Karavakis (U.S. 5,663,106).

As noted above under the heading “Provisional Election of Group II”, Applicants have elected Group II and withdrawn Group I (including claim 1). Therefore, the §102 rejection of claim 1 is moot.

### **§103 Rejection of the Claims**

Claims 1-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Matsui (U.S. 5,743,009) in view of “Applicant’s Admitted Prior Art.”

As noted above under the heading “Provisional Election of Group II”, Applicants have elected Group II and withdrawn Group I (including claims 1-10). Therefore, the §103 rejection of claims 1-10 is moot.

### **Conclusion**

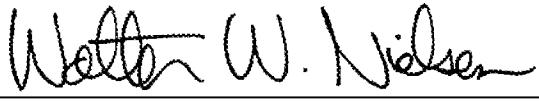
The Examiner is invited to telephone Applicants’ attorney, Ann M. McCrackin (located in Minneapolis, Minnesota) at (612) 349-9592 or Applicants’ below-signed attorney (located in Phoenix, Arizona) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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